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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,589	10/08/2004	Yoshihiko Hamawaki	JP02 0010 US	9256
24738	7590	03/23/2006	EXAMINER DUONG, TAI V	
PHILIPS ELECTRONICS NORTH AMERICA CORPORATION INTELLECTUAL PROPERTY & STANDARDS 1109 MCKAY DRIVE, M/S-41SJ SAN JOSE, CA 95131			ART UNIT 2871	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/510,589

Applicant(s)

HAMAWAKI, YOSHIHIKO

Examiner

Tai Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 7 is/are rejected.
- 7) ☒ Claim(s) 2 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/08/04</u> . | 6) <input type="checkbox"/> Other: ____. |

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The information disclosure statement filed 10/08/04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

The Akins R. et al article as listed on the IDS has not been filed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujimori et al (US 2001/0008437) cited on the International Search Report.

Note Fig. 1A which identically disclose the claimed LCD device and the method comprising a first substrate 11 including a reflecting member 22 arranged in a first region R_f other than the transmissive region Tr, and a second substrate 9 comprising a scattering member 30 arranged in at least part of the transmissive region (paragraphs 0059-0061).

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Narutaki et al (US 6,215,538) cited on the International Search Report.

Note Figs. 20 and 21 which identically disclose the claimed LCD device and the method comprising a first substrate 1 including a reflecting member 3 arranged in a first region other than the transmissive region (region corresponding to transparent electrode

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8), and a second substrate 2 comprising a scattering member (not shown but disclosed in col. 33, lines 12-14)) arranged in at least part of the transmissive region (col. 31, line 65 – col. 33, line 35).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimori et al (US 2001/0008437) in view of Sekiguchi (US 2002/0145688).

Claims 3, 4 and 7 are similar to claims 1 and 5 but additionally recite the feature “a first color filter having a scattering effect arranged in at least part of the transmissive region and a second color filter arranged in a second region corresponding to said first region”. The only difference between the LCD and method of Fujimori et al and that of the instant claims is the color filter 10 having a scattering effect. Sekiguchi discloses that it was known to form color filters having a scattering effect (paragraphs 01116-0123). Thus, it would have been obvious to a person of ordinary skill in the art to employ color filters having a scattering effect in the LCD and method of Fujimori et al (instead of a separate scattering member and a separate color filter) for obtaining a LCD panel with good display and wide viewing angle, as disclosed by Sekiguchi (paragraph 0123).

Claims 3, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narutaki et al (US 6,215,538) in view of Sekiguchi (US 2002/0145688).

Claims 3, 4 and 7 are similar to claims 1 and 5 but additionally recite the feature "a first color filter having a scattering effect arranged in at least part of the transmissive region and a second color filter arranged in a second region corresponding to said first region". The only difference between the LCD and method of Narutaki et al and that of the instant claims is the color filter (11A, 11B, 11C) having a scattering effect. Sekiguchi discloses that it was known to form color filters having a scattering effect (paragraphs 01116-0123). Thus, it would have been obvious to a person of ordinary skill in the art to employ color filters having a scattering effect in the LCD and method of Narutaki et al (instead of a separate scattering member and a separate color filter) for obtaining a LCD panel with good display and wide viewing angle, as disclosed by Sekiguchi (paragraph 0123).

Claims 2 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2 and 6 are allowed over the prior art of record because none of the prior art discloses or suggests a LCD and method as recited in claim 1 or 5 *in combination* with the feature "wherein said second substrate comprises other scattering member arranged in a second region corresponding to said first region, the other scattering member having a lower scattering effect than that of said scattering member".

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Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

TD

TVD

03/06

TOANTON
PRIMARY EXAMINER